

**REMARKS**

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Request for Corrected PTO-892 Form**

Although the Examiner cited U.S. Patent No. 6,868,404 ("Ono") in the Office Action mailed on June 26, 2007, Ono was not listed in the attached PTO-892 form (Notice of References Cited). Accordingly, Applicant respectfully requests the Examiner send a corrected PTO-892 form listing Ono as a cited reference.

**Disposition of Claims**

Claims 1-8 are currently pending in the present application. Claims 1, 5, and 8 are independent. The remaining claims depend, directly or indirectly, from claims 1 or 5.

**Rejection under 35 U.S.C. § 102**

Claims 1-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,868,404 ("Ono"). For the reasons set forth below, the rejection is respectfully traversed.

Turning to the rejection, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP § 2131. The Applicant respectfully asserts that Ono fails to disclose all the limitations of independent claims 1, 5, and 8.

In particular, independent claims 1, 5, or 8 each recite, *inter alia*, an apparatus or method that includes writing random data in an area within an unused area *adjacent to* prescribed

information or key data. Ono is completely silent with respect to the aforementioned limitations as recited in independent claims 1, 5, and 8.

In particular, Ono is directed to a technique for preventing unauthorized use of digital data. Specifically, Ono discloses providing a digital data intelligent memory device for sending digital data and management information containing information for restricting the use of digital data. Ono is completely silent with respect to disclosing writing random data in an area within an unused area adjacent to key data.

The Examiner relies on a portion (*i.e.*, column 25, ll. 44-47) of Ono to show the limitations disclosed in independent claims 1, 5, and 8. The aforementioned portion cited by the Examiner states that "a random number may be added to a specific position (*e.g.*, the beginning) in the encrypted management information prior to the data conversion." Thus, Ono merely discloses that a random number may be added to the actual encrypted management information, and not to an area *adjacent to* the encrypted management information, as recited in claims 1, 5, and 8. Said another way, it appears Ono discloses adding an extra random number to the actual encrypted management information. From the above, it is clear that Ono's disclosed invention is completely silent with respect to writing random data in an area adjacent to the key data.

In view of the above, Ono fails to disclose all the limitations recited in independent claims 1, 5, and 8. Accordingly, independent claims 1, 5, and 8 are patentable over Ono. Dependent claims are patentable for at least the same reasons. Thus, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04536/034001).

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Respectfully submitted,

By 

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